



METHFESSEL & WERBEL

A Professional Corporation

JOEL N. WERBEL>
JOHN METHFESSEL, JR.>
FREDRIC PAUL GALLIN*+^
STEPHEN R. KATZMAN#
WILLIAM S. BLOOM*>
ERIC L. HARRISON*+
MATTHEW A. WERBEL>
LORI BROWN STERNBACK*+
I. BLAKELEY JOHNSTONE, III*+
GINA M. STANZIALE>
PAUL J. ENDLER JR.>

Of Counsel
MARC DEMBLING*+
ED THORNTON>

Retired
JOHN METHFESSEL, SR.>
(1935-2017)
DON CROWLEY*+

Counsel
CHRISTIAN R. BAILLIE+
SARAH K. DELAHANT+
SHAJI M. EAPEN+
JAMES FOXEN^
GERALD KAPLAN>
JARED P. KINGSLEY*+
JOHN R. KNODEL*+
LESLIE A. KOCH+
CHARLES T. MCCOOK, JR.*>
MARC G. MUCCILO>
RICHARD A. NELKE-
STEVEN K. PARNES+
RAINA M. PITTS^
BRENT R. POHLMAN+
AMANDA J. SAWYER^
JARED S. SCHURE>
SHIFRA TARICA+

Associates
EDWARD D. DEMBLING>
JASON D. DOMINGUEZ+
NATALIE DONIS+
MICHAEL R. EATROFF>
DAVID INCLE, JR.>
FRANK J. KEENAN+^
SCOTT KETTERER>

Associates, Cont'd
ALLISON M. KOENKE>
OLIVIA R. LICATA+
ASHLEY E. MALANDRE^
ANTHONY J. MANCUSO>
JAMES V. MAZEWSKI+
CHRISTEN E. MCCULLOUGH^
DIAA J. MUSLEH+
KAJAL J. PATEL>
WILLIAM J. RADA+
NABILA SAEED^
TIFFANY D. TAGARELLI>
STEVEN A. UNTERBURGER+
LEVI E. UPDYKE+^

* Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney
+Member of NY & NJ Bar
^Member of PA & NJ Bar
>Member of NJ Bar only
#Member of NJ & LA. Bar
<Member of NJ & DC Bar
>Member of NJ, PA & DC Bar
~Member of NY, NJ & DC Bar

Please reply to New Jersey

October 29, 2020

VIA ECF FILING

Clerk, United States District Court - Trenton
Clarkson S. Fisher Fed. Bldg.
402 East State Street
Trenton, NJ 08608

RE: **JACKSON TRAILS, LLC VS. TOWNSHIP OF JACKSON, ET AL.**

Our File No. : 88737 BRP

Docket No. : 3:20-CV-01150

Dear Sir/Madam:

Enclosed please find the following documents:

☒ Amended Answer

☒ Designation of Trial Counsel

Respectfully submitted,

METHFESSEL & WERBEL, ESQS.

Brent R. Pohlman
pohlman@methwerb.com
Ext. 182

BRP:brp/alw/Encl.

Methfessel & Werbel, Esqs.

Page 2

Our File No. 88737 BRP

cc: VIA EMAIL: rath@storzerlaw.com

Sieglinde K. Rath, Esq.

Storzer & Associates, P.C.

1025 Connecticut Avenue

Suite One Thousand

Washington, D.C. 20036

Brent R. Pohlman
METHFESSEL & WERBEL, ESQS.
2025 Lincoln Highway, Suite 200
PO Box 3012
Edison, New Jersey 08818
(732) 248-4200
1(732) 248-2355
mailbox@methwerb.com
Attorneys for Township of Jackson and Planning Board of the
Township of Jackson
Our File No. 88737 BRP

JACKSON TRAILS, LLC, A NEW
JERSEY LIMITED LIABILITY
CORPORATION

Plaintiff,

V.

TOWNSHIP OF JACKSON, A NEW
JERSEY MUNICIPAL CORPORATION
AND BODY POLITIC; AND THE
PLANNING BOARD OF THE TOWNSHIP
OF JACKSON, A MUNICIPAL AGENCY

Defendants

**UNITED STATES FEDERAL DISTRICT
COURT
DISTRICT - TRENTON**
CIVIL ACTION NO.: 3:20-CV-01150

Civil Action

AMENDED ANSWER

Defendant(s), Township of Jackson and Planning Board
of the Township of Jackson, by way of Answer to the
Complaint filed herein says:

1. Denied.
2. The Defendants admit that Plaintiff submitted a land
use application for a housing development. The
Defendants cannot admit or deny the remaining
allegations contained in Paragraph 2 of the
Complaint because the Defendants do not have

knowledge of Plaintiff's principal's religious beliefs.

3. Denied.

4. Denied.

5. Denied.

6. Denied.

JURISDICTION AND VENUE

7. The Defendants deny that this Court has jurisdiction over Counts Thirteen and Fourteen of this Complaint. Admitted for all other counts.

8. The Defendants deny that this Court has jurisdiction over Counts Thirteen and Fourteen of this Complaint. Admitted that this Court has supplemental jurisdiction over Count Seven.

9. The Defendants deny that this Court has jurisdiction over Counts Thirteen and Fourteen of this Complaint. Admitted for all other counts.

PARTIES

10. Admitted.

11. Admitted.

12. Admitted.

13. Denied.

14. Admitted.

FACTUAL ALLEGATIONS

Background

15. Admitted.

16. Admitted.

17. Admitted.

18. The allegation contained in Paragraph 18 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

19. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 of the Complaint and leave Plaintiff to its proofs.

20. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 20 of the Complaint and leave Plaintiff to its proofs.

21. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 21 of the Complaint and leave Plaintiff to its proofs.

22. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 22 of the Complaint and leave Plaintiff to its proofs.

23. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 23 of the Complaint and leave Plaintiff to its proofs.

The Development

24. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 24 of the Complaint and leave Plaintiff to its proofs.

25. Admitted that the Plaintiff submitted a land use application for a residential housing development in an RG-3 zone. All other factual allegations are denied. These Defendants make no response to the contention of law contained in Paragraph 25.

26. Admitted.

27. These Defendants admit that the land use application was for a conditional use. All other factual allegations are denied. These Defendants make no response to the contention of law contained in Paragraph 27.

28. Admitted.

29. Admitted.

30. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 30 of the Complaint and leave Plaintiff to its proofs.

31. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 31 of the Complaint and leave Plaintiff to its proofs.

32. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 32 of the Complaint and leave Plaintiff to its proofs.

33. Admitted.

34. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 34 of the Complaint and leave Plaintiff to its proofs. The record created during the land use application does not reflect an intent for the house of worship to be exclusively used as a synagogue.

35. Admitted that the house of worship would include men's and women's mikvahs.

36. Admitted.

37. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 37 of the Complaint and leave Plaintiff to its proofs.

38. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 37 of the Complaint and leave Plaintiff to its proofs.

39. Admitted.

40. The allegations contained in Paragraph 39 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

41. The allegations contained in Paragraph 41 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

42. The allegations contained in Paragraph 42 of the Complaint do not pertain to these Defendants, as

such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

43. Denied. These Defendants are not aware of any request for an eruv to be installed in the Township being denied.

44. Admitted that the Township has consented to allow an eruv.

45. The allegations contained in Paragraph 45 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

46. The allegations contained in Paragraph 46 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein. Further these Defendants object to Plaintiff's characterization that a percentage of a population

that has certain religious beliefs can ever be "disproportionate".

47. The allegations contained in Paragraph 47 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

48. The allegations contained in Paragraph 48 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

49. The allegations contained in Paragraph 49 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein. Further these Defendants object to Plaintiff's characterization that a percentage of a population that has certain religious beliefs can ever be "disproportionate".

50. The allegations contained in Paragraph 50 of the Complaint does not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

51. The allegations contained in Paragraph 51 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein. Further these Defendants object to Plaintiff's characterization that a percentage of a population that has certain religious beliefs can ever be "disproportionate".

52. Admitted.

53. Admitted.

54. The allegations contained in Paragraph 54 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein. Further

these Defendants object to Plaintiff's characterization that a percentage of a population that has certain religious beliefs can ever be "disproportionate".

55. Admitted.

56. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 56 of the Complaint and leave Plaintiff to its proofs.

57. Denied, these Defendants are unaware of an influx of residents and do not track Township residents' religious beliefs.

58. Denied.

59. Denied.

The Township's Land Use Regulations

60. Admitted.

61. Admitted.

62. Admitted.

63. Admitted.

64. Admitted.

65. Admitted.

66. Admitted.

67. Admitted.

68. Admitted.

69. Admitted.

70. Admitted.

71. Admitted.

72. Admitted.

73. Admitted.

74. These Defendants cannot admit or deny the allegations contained in Paragraph 74 of the Complaint because it is vague and unclear. Defendants are not aware what "conditions" Plaintiff is referring to. To the extent the allegations are directed at these Defendants same are denied.

75. Admitted.

76. These Defendants cannot admit or deny the allegations contained in Paragraph 76 of the Complaint because it is vague and unclear. Defendants are not aware what "these land use code provisions" Plaintiff is referring to. To the extent the allegations are directed at these Defendants same are denied.

JTL's Application and Proceedings Before the Board

77. Admitted.

78. Admitted.

79. Admitted.

80. Admitted.

81. Admitted.

82. Admitted.

83. Paragraph 83 asserts a contention of law, as such, these Defendants make no response thereto. To the extent that Plaintiff is asserting allegations of fact, same are denied.

84. Admitted.

85. Admitted.

86. Admitted.

87. Admitted.

88. The allegations contained in Paragraph 88 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

89. The allegations contained in Paragraph 89 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

90. The allegations contained in Paragraph 90 of the Complaint do not pertain to these Defendants, as

such these Defendants make no answers thereto.
Further these Defendants are without knowledge or
information sufficient to form a belief as to the
truth of the allegations contained herein.

91. The allegations contained in Paragraph 91 of the
Complaint do not pertain to these Defendants, as
such these Defendants make no answers thereto.

92. The allegations contained in Paragraph 92 of the
Complaint do not pertain to these Defendants, as
such these Defendants make no answers thereto.

93. The allegations contained in Paragraph 92 of the
Complaint do not pertain to these Defendants, as
such these Defendants make no answers thereto.

94. The allegations contained in Paragraph 94 of the
Complaint do not pertain to these Defendants, as
such these Defendants make no answers thereto.

95. The allegations contained in Paragraph 95 of the
Complaint do not pertain to these Defendants, as
such these Defendants make no answers thereto.

96. The allegations contained in Paragraph 96 of the
Complaint do not pertain to these Defendants, as
such these Defendants make no answers thereto.

97. The allegations contained in Paragraph 97 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

98. The allegations contained in Paragraph 98 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

99. The allegations contained in Paragraph 99 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

100. The allegations contained in Paragraph 100 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

101. The allegations contained in Paragraph 101 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

102. Admitted.

103. Admitted.

104. Admitted.

105. Admitted.

106. Admitted.

107. Admitted.

108. Admitted.

109. Admitted.

110. Denied.

111. Denied.

112. Denied.

113. Admitted.

114. Admitted.

115. Admitted.

116. Admitted.

117. Admitted.

118. Admitted.

119. Admitted.

120. Admitted.

121. Admitted.

122. Denied.

123. Denied.

124. Admitted.

125. Admitted.

126. These Defendants admit that the quotation is accurate, but deny all other statements in Paragraph 126.

127. Denied.

128. Denied that Stephen De Marzo is on the Environmental Commission, admitted the quotation is accurate.

129. Denied.

130. The allegations contained in Paragraph 130 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

131. The allegations contained in Paragraph 131 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

132. Admitted.

133. Admitted.

134. Admitted.

135. Admitted.

136. Admitted.

137. Admitted.

138. Admitted.

139. Admitted.

140. The allegations contained in Paragraph 140 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or

information sufficient to form a belief as to the truth of the allegations contained herein.

141. Denied.

142. Denied.

143. Admitted.

144. Admitted.

145. Admitted.

146. Admitted no Board Members rescued other than Mr. Riker.

147. Admitted.

148. Admitted.

149. Admitted.

150. Admitted.

151. Admitted.

152. The allegations contained in Paragraph 152 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

153. Admitted.

154. Admitted.

155. Admitted.

156. Admitted.

157. Admitted.

158. Admitted.

159. Admitted.

160. Admitted.

161. Admitted as to JTL's attorney's comments,
Defendants make no response to the legal conclusion.

162. Paragraph 162 asserts a contention of law and, as
such, Defendants make no response thereto.

163. Paragraph 163 asserts a contention of law and,
as such, Defendants make no response thereto.

164. Admitted as to JTL's attorney's comments,
Defendants make no response to the legal conclusion.

165. Paragraph 165 asserts a contention of law and, as
such, Defendants make no response thereto.

166. Admitted.

167. Admitted.

168. Admitted

169. Admitted.

170. Admitted.

171. Admitted.

172. The allegations contained in the first sentence
of Paragraph 172 of the Complaint do not pertain to
these Defendants, as such these Defendants make no
answers thereto. The remainder of the allegations

contained in Paragraph 172 constitute a contention of law and these Defendants make no response thereto.

173. Admitted.

174. Admitted.

175. Admitted.

176. Admitted.

177. Admitted.

178. The allegations contained in Paragraph 178 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

179. Denied that the Board Attorney admonished a witness, admitted as to quoted text.

180. The allegations contained in Paragraph 180 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

181. The allegations contained in Paragraph 181 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

182. The allegations contained in Paragraph 182 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

183. The allegations contained in Paragraph 183 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

184. The allegations contained in Paragraph 184 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

185. The allegations contained in Paragraph 185 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

186. Admitted.

187. The allegations contained in Paragraph 187 of the Complaint do not pertain to these Defendants, as

such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

188. Admitted.

189. Denied that the Board Attorney admonished witnesses, admitted as to accuracy of the quotation.

190. Denied that the Board Attorney admonished witnesses, admitted as to accuracy of the quotation.

191. These Defendants cannot admit or deny the allegations in Paragraph 191 because it is vague and unclear which "traffic issues" are being referred to. Denied.

192. Denied.

193. The allegations contained in Paragraph 193 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

194. Admitted.

195. Admitted.

196. The allegations contained in Paragraph 196 constitute a contention of law and these Defendants

make no response thereto. Further these Defendants do not know what Plaintiff is referring to when referencing a "sunset provision."

197. Admitted.

198. Admitted.

199. Admitted.

200. Admitted.

201. Admitted.

202. Denied.

203. Denied.

204. These Defendants admit a vote was taken. These Defendants deny all other allegations in paragraph 204.

205. Admitted.

206. Admitted.

207. Admitted.

208. Admitted.

209. Admitted.

210. Admitted.

211. Admitted.

212. Admitted.

213. Denied.

214. Admitted that the Board passed a resolution reflecting the 4-4 tie in votes.

215. Admitted that Paragraph 215 contains a partial quotation of the resolution.

216. Admitted that Paragraph 216 contains a partial quotation of the resolution.

217. Denied.

218. Denied.

219. Admitted that Paragraph 219 contains an accurate quote from the Board Attorney. These Defendants deny all other allegations in Paragraph 219.

220. Denied.

221. Admitted.

222. Admitted.

223. Denied.

224. The allegations contained in Paragraph 224 constitute a contention of law and these Defendants make no response thereto.

225. The allegations contained in Paragraph 225 constitute a contention of law and these Defendants make no response thereto.

226. The allegations contained in Paragraph 226 constitute a contention of law and these Defendants make no response thereto.

227. The allegations contained in Paragraph 227 constitute a contention of law and these Defendants make no response thereto.

228. The allegations contained in Paragraph 228 constitute a contention of law and these Defendants make no response thereto.

229. Denied.

230. Admitted that JTL provided an outdated Environmental Study.

231. Denied.

232. Denied.

233. Denied.

234. Admitted.

235. Denied.

236. The allegations contained in Paragraph 236 constitute a contention of law and these Defendants make no response thereto.

237. Denied.

238. The allegations contained in Paragraph 238 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

239. Denied.

240. Denied.

241. Admitted.

242. Admitted.

243. Denied.

244. Denied.

245. The allegations contained in Paragraph 245 constitute a contention of law and these Defendants make no response thereto.

246. The allegations contained in Paragraph 246 constitute a contention of law and these Defendants make no response thereto.

247. The allegations contained in Paragraph 247 constitute a contention of law and these Defendants make no response thereto.

248. The allegations contained in Paragraph 248 constitute a contention of law and these Defendants make no response thereto.

249. Admitted.

250. Admitted.

251. Admitted.

252. Admitted.

253. Admitted.

254. Admitted.

255. Admitted.

256. Admitted.

257. Admitted.

258. Denied.

259. Admitted.

260. Admitted.

261. Admitted.

262. The allegations contained in Paragraph 262 constitute a contention of law and these Defendants make no response thereto. Denied.

263. Denied.

264. Admitted.

265. Denied.

266. The allegations contained in Paragraph 266 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Furthermore, the allegations constitute a legal contention.

267. The allegations contained in Paragraph 267 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

268. The allegations contained in Paragraph 268 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

269. The allegations contained in Paragraph 269 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

270. The allegations contained in Paragraph 270 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

271. The allegations contained in Paragraph 271 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

272. Admitted.

273. The allegations contained in Paragraph 273 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or

information sufficient to form a belief as to the truth of the allegations contained herein.

274. Denied.

275. Denied.

276. Denied.

277. Denied.

278. Denied.

279. Denied.

280. Denied.

281. The allegations contained in Paragraph 281 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

282. The allegations contained in Paragraph 282 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

283. The allegations contained in Paragraph 283 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

284. The allegations contained in Paragraph 284 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

Anti-Semitic Hostility Towards JTL

285. Denied.

286. Denied.

287. The allegations contained in Paragraph 287 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

288. The allegations contained in Paragraph 288 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

289. The allegations contained in Paragraph 289 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

290. The allegations contained in Paragraph 290 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

291. The allegations contained in Paragraph 291 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

292. The allegations contained in Paragraph 292 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

293. The allegations contained in Paragraph 293 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

294. The allegations contained in Paragraph 294 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

295. Admitted.

296. Admitted that Hofstein resigned from the Jackson Township Zoning Board of Adjustment. These Defendants are without knowledge as to Hofstein's mental processes and motivations.

297. The allegations contained in Paragraph 297 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

298. The allegations contained in Paragraph 298 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

299. The allegations contained in Paragraph 299 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

300. The allegations contained in Paragraph 300 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

301. The allegations contained in Paragraph 301 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

302. The allegations contained in Paragraph 302 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

303. The allegations contained in Paragraph 303 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

304. The allegations contained in Paragraph 304 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

305. The allegations contained in Paragraph 305 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

306. The allegations contained in Paragraph 306 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

307. The allegations contained in Paragraph 307 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

308. Admitted.

309. Admitted.

310. The allegations contained in Paragraph 310 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

311. The allegations contained in Paragraph 311 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or

information sufficient to form a belief as to the truth of the allegations contained herein.

312. Admitted.

313. The allegations contained in Paragraph 313 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

314. The allegations contained in Paragraph 314 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

315. The allegations contained in Paragraph 315 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

316. Admitted.

317. The allegations contained in Paragraph 317 of the Complaint do not pertain to these Defendants, as

such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

318. The allegations contained in Paragraph 318 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

319. The allegations contained in Paragraph 319 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

320. The allegations contained in Paragraph 320 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

321. Denied.

322. The allegations contained in Paragraph 322 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

323. The allegations contained in Paragraph 323 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

324. The allegations contained in Paragraph 324 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

325. The allegations contained in Paragraph 325 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

326. The allegations contained in Paragraph 326 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

327. The allegations contained in Paragraph 327 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

328. The allegations contained in Paragraph 328 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

329. The allegations contained in Paragraph 329 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

330. The allegations contained in Paragraph of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

331. The allegations contained in Paragraph 331 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

332. The allegations contained in Paragraph 332 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

333. The allegations contained in Paragraph 333 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

334. The allegations contained in Paragraph 334 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

335. Denied.

336. The allegations contained in Paragraph 336 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

337. The allegations contained in Paragraph 337 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

338. The allegations contained in Paragraph 338 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or

information sufficient to form a belief as to the truth of the allegations contained herein.

339. The allegations contained in Paragraph 339 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

340. The allegations contained in Paragraph 340 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

341. The allegations contained in Paragraph 341 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

342. Admitted.

343. The allegations contained in Paragraph 343 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

344. The allegations contained in Paragraph 344 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

345. The allegations contained in Paragraph 345 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

346. The allegations contained in Paragraph 346 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

347. The allegations contained in Paragraph 347 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto.

Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

348. The allegations contained in Paragraph 348 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

349. The allegations contained in Paragraph 349 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

350. The allegations contained in Paragraph 350 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

351. Admitted.

Other Anti-Semitic Hostility in Jackson Township

352. Denied.

353. The allegations contained in Paragraph 353 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

354. The allegations contained in Paragraph 354 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

355. Denied.

356. The allegations contained in Paragraph 356 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

357. Denied.

358. Denied.

359. Admitted.

360. Admitted.

361. Denied.

362. Denied.

363. Admitted.

364. Admitted that is what the lawsuits allege.

365. Denied.

366. Denied.

367. Denied that Township took any action against Orthodox Jews. Admitted that the Township contacted the USDOJ and New Jersey Attorney General.

368. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

369. Admitted.

370. Denied.

371. Denied.

372. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

373. Admitted.

374. Admitted.

375. Admitted.

376. Denied.

377. Denied.

378. Admitted.

379. Admitted.

380. Denied.

381. Admitted.

382. Denied.

383. Admitted that Hofstien was on the Zoning Board of Adjustment. These Defendants are without knowledge for all other allegations in Paragraph 383.

384. The allegations contained in Paragraph 384 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein as the Plaintiff has provided blind quotes not attributed to any person. Denied.

385. Denied.

386. The allegations contained in Paragraph 386 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

387. Denied that the Township had a practice of monitoring Jewish owned or utilized properties.

388. Denied.

389. Denied.

390. Denied that the Township had on going monitoring of Orthodox Jews.

391. Denied.

392. Admitted that violations were issued if a structure did not comply with ordinance or code.

393. Denied.

394. Denied.

395. Admitted.

396. Denied.

397. Admitted.

398. Denied.

399. Denied.

400. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

401. Admitted.

402. These Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

403. The allegations contained in Paragraph 403 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or

information sufficient to form a belief as to the truth of the allegations contained herein.

404. The allegations contained in Paragraph 404 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

405. The allegations contained in Paragraph 405 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

406. The allegations contained in Paragraph 406 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

407. The allegations contained in Paragraph 407 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or

information sufficient to form a belief as to the truth of the allegations contained herein.

408. The allegations contained in Paragraph 408 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

409. The allegations contained in Paragraph 409 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

410. The allegations contained in Paragraph 410 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

411. The allegations contained in Paragraph 411 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or

information sufficient to form a belief as to the truth of the allegations contained herein.

412. The allegations contained in Paragraph 412 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein.

413. Admitted.

414. Denied that Councilmember Bressi was removed from committees. Admitted that Councilmember Bressi is not on the same committees in 2020 as in 2019.

415. Denied.

The Townships Declaratory Judgment Action and The
Settlement Agreement

416. Admitted.

417. Denied.

418. Denied.

419. Admitted as the affordable unit obligations denied as to all other allegations in Paragraph 419.

420. Admitted.

421. Admitted that the Settlement Agreement requires a 20% set aside in the RG2 and RG-3 zones.

422. Denied.

423. Denied.

424. Admitted.

425. Admitted.

The Township's Fair Share Plan

426. Admitted.

427. Denied.

428. Admitted.

429. Admitted.

430. Admitted.

431. Admitted.

432. Admitted.

433. Admitted.

Additional Allegations Regarding The Denial Of Housing
Opportunities For Orthodox Jews In Jackson Township

434. Denied.

435. Admitted.

436. Admitted.

437. Admitted.

438. Admitted.

439. Admitted as the Board Member Wall's statements.

Denied as to the characterization of resident
opposition.

440. The allegations contained in Paragraph 440 of the
Complaint do not pertain to these Defendants, as

such these Defendants make no answers thereto.
Further these Defendants are without knowledge or
information sufficient to form a belief as to the
truth of the allegations contained herein.

441. The allegations contained in Paragraph 441 of the
Complaint do not pertain to these Defendants, as
such these Defendants make no answers thereto.
Further these Defendants are without knowledge or
information sufficient to form a belief as to the
truth of the allegations contained herein.

442. Admitted.

443. The allegations contained in Paragraph 443 of the
Complaint do not pertain to these Defendants, as
such these Defendants make no answers thereto.
Further these Defendants are without knowledge or
information sufficient to form a belief as to the
truth of the allegations contained herein.

444. Denied.

445. Denied.

446. Denied.

447. Denied.

448. Denied.

449. Denied. There is no housing in Jackson Township
that segregated by religion. There are no

developments that are only for Jewish residents, or Catholic residents, or Muslim residents.

450. Denied.

451. Admitted.

452. Denied.

453. The allegations contained in Paragraph 453 of the Complaint do not pertain to these Defendants, as such these Defendants make no answers thereto. Further these Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations contained herein. Additionally, Plaintiff should be aware that moderate and low income housing has to be equally available to all residents of the State of New Jersey, and restricting access based on religion, or showing a preference based on religion would be a violation of federal and state law.

454. Denied.

455. Denied.

456. Denied.

457. Denied.

458. Denied.

459. Denied.

460. Denied.

COUNT I (Fair Housing Act Religious Discrimination)

461. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

462. Denied.

463. Denied.

464. Denied.

465. Denied.

466. Denied.

467. Denied.

468. Denied.

Count II (Fair Housing Act Racial Discrimination)

469. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

470. Denied.

471. Denied.

472. Denied.

473. Denied.

474. Denied.

475. Denied.

476. Denied.

COUNT III (Fair Housing Act Religious Discrimination)

477. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

478. Denied.

COUNT IV (Fair Housing Act Religious Discrimination)

479. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

480. Denied.

COUNT V RLUIPA

481. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

482. Denied.

COUNT VI Equal Protection Clause Religious

Discrimination

483. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint

with full force and effect as though more fully set forth herein at length.

484. Denied.

COUNT VII Equal protection Clause Racial
Discrimination

485. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

486. Denied.

COUNT VIII Free Exercise Clause

487. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

488. Denied.

COUNT IX Establishment Clause

489. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

490. Denied.

491. Denied.

492. Denied.

COUNT X Substantive Due Process

493. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

494. Denied.

COUNT XI 42 U.S.C. §1982

495. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

496. Defendants are without knowledge to admit or deny the allegations in Paragraph 496 of the Complaint.

497. Denied.

COUNT XII NJLAD

498. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

499. Denied.

500. Denied.

COUNT XIII Arbitrary and Capricious Denial of Land Use
Application

501. Defendants repeat and reiterate their answers to all of the previous allegations of the Complaint with full force and effect as though more fully set forth herein at length.

502. Admitted.

503. Admitted.

504. Admitted.

505. Paragraph 505 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

506. Paragraph 506 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

507. Paragraph 507 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

508. Paragraph 508 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

509. Paragraph 509 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

510. Admitted.

511. Admitted.

512. Admitted.

513. The Defendants does not have sufficient knowledge or information to admit or deny the allegations set forth in paragraph 513 and leaves Plaintiff to its proofs.

514. Admitted.

515. The Defendant denies that the reason for denial were contrary to any memorialized representations or that the reasons for denial were improper or incorrect.

516. Paragraph 516 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

517. Admitted.

518. Paragraph 518 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

519. Denied.

520. Paragraph 520 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

521. Denied.

522. Paragraph 522 asserts a contention of law and the Defendants make no response thereto, and leave Plaintiff to its proofs.

523. Denied.

524. Admitted.

525. Denied.

526. Admitted.

527. Denied.

528. Denied.

529. Denied.

COUNT XIV Fair Share Plan

(This Claim Has Been Dismissed)

WHEREFORE, Defendants demand judgment dismissing the Plaintiff's Complaint herein, together with costs of suit.

FIRST SEPARATE DEFENSE

The Complaint fails to state a claim upon which relief may be granted.

SECOND SEPARATE DEFENSE

This Court does not have jurisdiction over all claims asserted.

THIRD SEPARATE DEFENSE

Any and all injuries and damages were proximately caused by actions or negligence of plaintiff or by persons not under the control of this defendant.

FOURTH SEPARATE DEFENSE

Any and all injuries and damages were caused solely by the intentional behavior of the plaintiff.

FIFTH SEPARATE DEFENSE

Defendants owed no legal duty to the plaintiff.

SIXTH SEPARATE DEFENSE

Defendants breached no duty owed to the plaintiff.

SEVENTH SEPARATE DEFENSE

Defendants performed each and every duty, if any, owed to plaintiff.

EIGHTH SEPARATE DEFENSE

Plaintiff has not been deprived of any right, privilege, or immunity created or recognized by the United States Constitution, the New Jersey Constitution, any statute, or any law.

NINTH SEPARATE DEFENSE

Defendants affirmatively and specifically plead each and every defense, limitation, and immunity, and protection provided under the New Jersey Tort Claims Act, N.J.S.A.

59:1-1, et seq., and hereby place plaintiff on notice that each such statutory provision is hereby raised as a separate and affirmative defense throughout every stage of the case.

TENTH SEPARATE DEFENSE

Any actions or failure to act on the part of defendants were in the nature of the discretionary activity within meaning of N.J.S.A. 59:2-3.

ELEVENTH SEPARATE DEFENSE

Defendants are entitled to the good faith immunity established by N.J.S.A. 59:3-3.

TWELFTH SEPARATE DEFENSE

Plaintiff failed to comply with the conditions precedent for making any claim against defendants by not filing the claim in the manner and within the time provided by N.J.S.A. 59:8-3, 59:8-4, 59:8-5, 59:8-7, and 59:8-8.

THIRTEENTH SEPARATE DEFENSE

The plaintiff(s) failed to file a timely notice of claim as required by N.J.S.A. 59:8-8, et. seq.

FOURTEENTH SEPARATE DEFENSE

Defendants are entitled to immunity under N.J.S.A. 59:2-2.

FIFTEENTH SEPARATE DEFENSE

Defendants neither took nor sanctioned any of the actions alleged by plaintiff.

SIXTEENTH SEPARATE DEFENSE

Any action or inaction on the part of defendant was the result of the exercise of judgment or discretion vested in defendants within the meaning of the applicable law.

SEVENTEENTH SEPARATE DEFENSE

Defendant acted in good faith without malicious intent in carrying out all duties.

EIGHTEENTH SEPARATE DEFENSE

Defendant at all times acted reasonably, in good faith, and in accordance with all applicable laws of the United States, State of New Jersey, and local ordinances.

NINETEENTH SEPARATE DEFENSE

All of the acts of defendants were performed in good faith and defendants are therefore entitled to qualified immunity.

TWENTIETH SEPARATE DEFENSE

Defendants are entitled to absolute immunity.

TWENTY-FIRST SEPARATE DEFENSE

To the extent alleged, if any, defendants did not engage in a conspiracy against plaintiff and did not have a custom, plan or practice that violated plaintiff's rights.

TWENTY-SECOND SEPARATE DEFENSE

Punitive damages cannot be awarded against defendants under both common law and statute.

TWENTY-THIRD SEPARATE DEFENSE

Plaintiff is not entitled to an award of economic damages against defendants.

TWENTY-FOURTH SEPARATE DEFENSE

Plaintiff is not entitled to an award of interest against defendants.

TWENTY-FIFTH SEPARATE DEFENSE

Plaintiff is not entitled to an award of counsel fees against defendants.

TWENTY-SIXTH SEPARATE DEFENSE

Defendants did not violate any duty owed to plaintiff under common law, statute, regulations, or standards.

TWENTY-SEVENTH SEPARATE DEFENSE

Defendants were acting pursuant to law in performing any of the acts alleged in the Complaint.

TWENTY-EIGHTH SEPARATE DEFENSE

This court lacks jurisdiction over one or more of plaintiff's claims.

TWENTY-NINTH SEPARATE DEFENSE

Plaintiff's Complaint is barred by the applicable statute of limitations.

THIRTIETH SEPARATE DEFENSE

Plaintiff's claims are barred by the doctrines of estoppel, laches, waiver, and/or unclean hands.

THIRTY-FIRST SEPARATE DEFENSE

Plaintiff failed to take reasonable and necessary measures to mitigate damages.

THIRTY-SECOND SEPARATE DEFENSE

Defendants reserve their right to assert such other affirmative defenses as continuing investigation and discovery may indicate.

THIRTY-THIRD SEPARATE DEFENSE

Defendants had legitimate, nondiscriminatory reasons for all acts and omissions of which plaintiff complains.

THIRTY-FOURTH SEPARATE DEFENSE

Plaintiff has failed to exhaust all available administrative remedies.

JURY DEMAND

The defendant hereby demands trial by a jury as to all issues.

METHFESSEL & WERBEL, ESQS.
Attorneys for Township of
Jackson and Planning Board of
the Township of Jackson



By: _____
Brent R. Pohlman

DATED: October 29, 2020

DESIGNATION OF TRIAL COUNSEL

The Court is advised that Brent R. Pohlman is hereby designated as trial counsel on behalf of the defendant(s), Township of Jackson and Planning Board of the Township of Jackson.

METHFESSEL & WERBEL, ESQS.

Attorneys for Township of
Jackson and Planning Board of
the Township of Jackson

A handwritten signature in black ink, appearing to read 'B. Pohlman', with a stylized flourish at the end.

By: _____
Brent R. Pohlman

DATED: October 29, 2020

Our File No. 88737

CERTIFICATE OF MAILING

The undersigned hereby certifies as follows:

1. I am employed by the law firm of Methfessel & Werbel.

2. On October 29, 2020 the undersigned prepared and forwarded copies of the within Answer to the following parties:

Clerk, United States District Court - Trenton
Clarkson S. Fisher Fed. Bldg.
402 East State Street
Trenton, NJ 08608

VIA EMAIL: rath@storzerlaw.com
Sieglinde K. Rath, Esq.
Storzer & Associates, P.C.
1025 Connecticut Avenue
Suite One Thousand
Washington, D.C. 20036

3. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Alexandra L. Wilczynski